

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SPORT-BLX, INC., individually and derivatively
on behalf of its shareholders,

Plaintiff,

v.

MICHAEL M. SALERNO and CYPRESS
HOLDINGS, III, L.P.,

Defendants.

Civil Action No.: 1:22-cv-08111-LGS

**MOTION FOR LEAVE TO
WITHDRAW AS COUNSEL FOR
DEFENDANTS MICHAEL M.
SALERNO AND CYPRESS
HOLDINGS, III, L.P.**

A. Ross Pearlson, of CHIESA SHAHINIAN & GIANTOMASI PC (“CSG”), pursuant to Local Civil Rule 1.4 of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York (the “Local Rules”) and the accompanying Declaration of A. Ross Pearlson in support, moves to withdraw as counsel for Defendants, MICHAEL M. SALERNO (“SALERNO”) and CYPRESS HOLDINGS, III, L.P. (“CYPRESS”) (collectively, the “CYPRESS PARTIES”)¹, and in support states:

1. Irreconcilable differences have developed between CSG and the CYPRESS PARTIES which warrant that the undersigned withdraw as counsel pursuant to Local Civil Rule 1.4.

2. CSG has provided this Motion to the CYPRESS PARTIES and all counsel of record, as required by Local Civil Rule 1.4, and the CYPRESS PARTIES do not oppose CSG’s Motion to Withdraw as Counsel.

¹ On March 1, 2023, Plaintiff SPORT-BLX, Inc. filed an Amended Complaint (ECF No. 40) wherein Plaintiff removed former Defendant Northeast Professional Planning Group, Inc. (“NPPG”) as a defendant to this action.

3. The Declaration of A. Ross Pearlson accompanying this Motion to Withdraw is attached as Exhibit “A” and states the satisfactory reasons for withdrawal, including the posture of the case.

4. The CYPRESS PARTIES have already retained new counsel, Alexander M. Dudelson, Esq. of THE LAW OFFICES OF ALEXANDER M. DUDELSON, who filed a Notice of Appearance in this action on November 9, 2023 (ECF No. 88).

5. This motion is not filed to cause delay nor for any improper purpose.

WHEREFORE, A. Ross Pearlson, of CHIESA SHAHINIAN & GIANTOMASI PC, respectfully requests the entry of an order granting (a) this Motion to Withdraw as Counsel for Defendants MICHAEL M. SALERNO and CYPRESS HOLDINGS, III, L.P. and (b) such further relief deemed just and proper.

CHIESA SHAHINIAN & GIANTOMASI P.C.

By: /s/ A. Ross Pearlson
A. ROSS PEARLSON
11 Times Square, 34th Floor
New York, New York 10036
Tel: (212) 973-0572
E-mail: rpearlson@csglaw.com

*Attorneys for Defendants Michael M.
Salerno and Cypress Holdings, III, L.P.*

Dated: November 14, 2023

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on November 14, 2023, I served the foregoing document via CM/ECF on all parties listed to receive electronic notices in this matter. The foregoing document was also served via electronic mail on Defendants MICHAEL M. SALERNO and CYPRESS HOLDINGS, III, L.P. at msalerno@nppg.com.

By: /s/ A. Ross Pearlson
A. ROSS PEARLSON

Dated: November 14, 2023